

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (GBD)(SN)
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This document relates to:

Celestine Kone, et al. v. Islamic Republic of Iran, No. 1:23-cv-05790 (GBD)(SN)

**[PROPOSED] ORDER OF FINAL JUDGMENT AS TO LIABILITY AND FOR
PARTIAL FINAL DAMAGES JUDGMENT AGAINST THE
ISLAMIC REPUBLIC OF IRAN FOR NON-U.S. NATIONAL**

Upon consideration of the evidence and arguments submitted by a non-U.S. National Plaintiff in the above-captioned matter as specifically identified in Exhibit B¹ (“Moving Plaintiff”), together with the entire record in the case, IT IS HEREBY

ORDERED that service of process in the above-captioned matter was effected upon Defendant Islamic Republic of Iran (“Iran”) in accordance with 28 U.S.C. § 1608(a) for sovereign defendants; and it is further

ORDERED that the Court has subject-matter jurisdiction over the common law claims of the Moving Plaintiff against Iran, pursuant to 28 U.S.C. § 1605B; and it is further

ORDERED that the Court has subject-matter jurisdiction over Iran under the common law for actions arising out of wrongful death based on the intentional acts of international terrorism perpetrated on September 11, 2001 that intentionally targeted innocent civilians resulting in death; and it is further

ORDERED that an Iran judgment as to liability is entered for the Moving Plaintiff for the estate’s common law claims; and it is further

¹ Exhibit A is the default judgment motion cover sheet as required by the Court’s September 22, 2023 Order at ECF No. 9355.

ORDERED that Iran is found to be jointly and severally liable with the Taliban and that the Moving Plaintiff is awarded a damages judgment in the same amounts previously awarded by this Court to various similarly situated plaintiffs in *Burnett*, *Havlish*, *Ashton*, *Bauer*, *O'Neill*, and other cases; and it is further

ORDERED that the estate of the 9/11 decedent, through its personal representative and on behalf of all survivors and all legally entitled beneficiaries and family members of such 9/11 decedent, as set forth in Exhibit B, is awarded compensatory damages for pain and suffering in the same per estate amount previously awarded by this Court regarding other estates of decedents killed in the September 11th attacks, as set forth in Exhibit B; and it is further

ORDERED that the Moving Plaintiff identified in the attached Exhibit B is awarded compensatory damages for decedents' pain and suffering in the amount of \$2,000,000, as set forth in the attached Exhibit B; and it is further

ORDERED that the estate of the 9/11 decedent, through its personal representative and on behalf of all survivors and all legally entitled beneficiaries and family members of such 9/11 decedent, as identified in Exhibit B, is awarded economic damages in the amount as set forth in Exhibit B; and it is further

ORDERED that the Moving Plaintiff is awarded prejudgment interest at the rate of 4.96 percent per annum, compounded annually for the period from September 11, 2001 until the date of the judgment for damages; and it is further

ORDERED that the Moving Plaintiff may apply for punitive damages, economic damages, and other appropriate damages, at a later date; and it is further

ORDERED that all other Plaintiffs in the above-captioned matter not appearing in the attached Exhibit B may submit applications for damages awards in later stages, to the extent such awards have not previously been addressed.

Furthermore, the Court respectfully directs the Clerk of the Court to terminate the motion at ECF No. 10143.

SO ORDERED:

GEORGE B. DANIELS
United States District Judge

Dated: New York, New York
_____, 2024